

PATENT APPLN. NO. 09/879,966
RESPONSE UNDER 37 C.F.R. §1.111

PATENT
NON-FINAL

REMARKS

Referring to the Action, claims 1 and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Nikaido et al (U.S. Patent No. 6,274,034) (hereinafter: "Nikaido") and claims 1, 4, 5, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Era et al (U.S. Patent No. 4,935,125) (hereinafter: "Era").

Claims 2, 3, 6-11, and 13-16 are objected to as being dependent upon a rejected base claim, but as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As correctly noted by the Examiner, Nikaido and Era fail to teach or suggest a means by which to add a powder supply. The portion of the dialyzer of the apparatus of each of Nikaido and Era, which is considered by the Office to be a solution tank, is constructed with a semi-permeable membrane for blood contact and cannot include a means for supplying powder for preparing solution.

Therefore, to place the application in condition for allowance, applicant has amended claim 1 to include the limitations of allowable claim 2 relating to a powder supply means being provided on the solution tank for supplying powder to the solution tank and have canceled claims 2, 6, 7, 9, 10, 13, 14 and 16.

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The foregoing is believed to be a complete and proper response to the Office Action dated September 23, 2004, and is believed to place this application in condition for allowance. If, however, minor issues remain that can be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number indicated below.

In the event that this paper is not considered to be timely filed, applicant hereby petitions for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 111833.

In the event any additional fees are required, please also charge our Deposit Account No. 111833.

Respectfully submitted,

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